

HOUSE JOURNAL

OF THE

IDAHO LEGISLATURE

SECOND REGULAR SESSION
FIFTY-NINTH LEGISLATURE

SEVENTY-NINTH LEGISLATIVE DAY
TUESDAY, MARCH 25, 2008

House of Representatives

The House convened at 9:00 a.m., the Speaker in the Chair.

Roll call showed 65 members present.

Absent and excused – Bedke, Chavez, McGeachin, Moyle,
Wood(27). Total – 5.
Total – 70.

Prayer was offered by Chaplain Tom Dougherty.

The Pledge of Allegiance was led by Jordan Wilson, Page.

Approval of Journal

March 25, 2008

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND
ADMINISTRATION, report that we have read and approved the
House Journal of the Seventy-fifth Legislative Day and
recommend that same be adopted as corrected.

CLARK, Chairman

Mr. Clark moved that the report be adopted. Seconded by
Mrs. Boe. Report adopted.

Consideration of Messages from the Governor and the Senate

OFFICE OF THE GOVERNOR
Boise

March 24, 2008

The Honorable Lawrence Denney
Speaker of the House

Dear Mr. Speaker:

I have the honor to advise you that I have signed today and
am transmitting to the Secretary of State the following House Bills,
to wit:

H 561, H 562, and H 596

As Always - Idaho, "Esto Perpetua"
/s/ C. L. "Butch" Otter
Governor

March 24, 2008

Mr. Speaker:

I transmit herewith enrolled **S 1435**, as amended, **S 1444**, as
amended, and **S 1449**, as amended, for the signature of the
Speaker.

WOOD, Secretary

The Speaker announced he was about to sign enrolled **S 1435**,
as amended, **S 1444**, as amended, and **S 1449**, as amended, and,
when so signed, ordered them returned to the Senate.

March 24, 2008

Mr. Speaker:

I return herewith enrolled **HJM 11, HCR 53, HCR 58,**
H 448, H 449, H 450, H 563, H 564, H 588, H 591, as amended,
H 604, H 615, H 619, H 644, H 645, H 648, H 650, H 652, and
H 653 which have been signed by the President.

WOOD, Secretary

Enrolled **HJM 11, HCR 53, HCR 58** were referred to the
Judiciary, Rules, and Administration Committee for delivery to the
Secretary of State.

Enrolled **H 448, H 449, H 450, H 563, H 564, H 588, H 591**,
as amended, **H 604, H 615, H 619, H 644, H 645, H 648, H 650,**
H 652, and **H 653** were referred to the Judiciary, Rules, and
Administration Committee for delivery to the Governor.

March 20, 2008

Mr. Speaker:

I transmit herewith **SJR 107** which has passed the Senate.

WOOD, Secretary

SJR 107 was filed for first reading.

March 24, 2008

Mr. Speaker:

I transmit herewith **S 1514** which has passed the Senate.

WOOD, Secretary

S 1514 was filed for first reading.

March 24, 2008

Mr. Speaker:

I return herewith **H 550, H 586, H 556, H 657**, and **H 489**, as
amended, which have passed the Senate.

WOOD, Secretary

H 550, H 586, H 556, H 657, and **H 489**, as amended, were
referred to the Judiciary, Rules, and Administration Committee for
enrolling.

H 514, as amended in the Senate, was previously ordered held
at the Desk.

Mrs. Wood asked unanimous consent that the House concur
in the Senate amendments to **H 514**, as amended in the Senate.
There being no objection it was so ordered.

H 514, as amended in the Senate, was referred to Judiciary,
Rules, and Administration Committee for engrossing.

Report of Standing Committees

March 25, 2008

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have printed **H 678**.

CLARK, Chairman

H 678 was ordered held at the Desk.

March 25, 2008

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have enrolled **H 550**, **H 586**, **H 556**, **H 657**, and **H 489**, as amended.

CLARK, Chairman

The Speaker announced he was about to sign enrolled **H 550**, **H 586**, **H 556**, **H 657**, and **H 489**, as amended, and, when so signed, ordered them transmitted to the Senate for the signature of the President.

March 25, 2008

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have engrossed **H 566**, as amended in the Senate.

CLARK, Chairman

H 566, as amended in the Senate, was filed for first reading of engrossed bills.

March 25, 2008

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have transmitted enrolled **H 549**, **H 621**, **H 622**, **H 625**, **H 626**, **H 628**, **H 629**, **H 541**, as amended, **H 627**, **H 635**, **H 636**, **H 517**, as amended, as amended in the Senate, **H 397**, as amended in the Senate, and **H 382**, as amended, as amended in the Senate, to the Governor at 10:25 a.m., as of this date, March 21, 2008.

CLARK, Chairman

March 21, 2008

Mr. Speaker:

We, your COMMITTEE ON RESOURCES AND CONSERVATION, report that we have had under consideration **S 1470** and recommend that it do pass.

STEVENSON, Chairman

S 1470 was filed for second reading.

March 21, 2008

Mr. Speaker:

We, your COMMITTEE ON STATE AFFAIRS, report that we have had under consideration **S 1455** and recommend that it do pass.

LOERTSCHER, Chairman

S 1455 was filed for second reading.

March 24, 2008

Mr. Speaker:

We, your COMMITTEE ON TRANSPORTATION AND DEFENSE, report that we have had under consideration **S 1379**, as amended, as amended, **S 1460**, and **SJM 113** and recommend that they do pass.

WOOD, Chairman

S 1379, as amended, as amended, **S 1460**, and **SJM 113** were filed for second reading.

March 24, 2008

Mr. Speaker:

We, your COMMITTEE ON TRANSPORTATION AND DEFENSE, report that we have had under consideration **H 640** and report it back without recommendation.

WOOD, Chairman

H 640 was filed for second reading.

March 23, 2008

Mr. Speaker:

We, your COMMITTEE ON STATE AFFAIRS, report that we have had under consideration **S 1413**, as amended, and report it back with amendments attached to be placed on General Orders for consideration.

LOERTSCHER, Chairman

S 1413, as amended, was placed on General Orders for consideration.

There being no objection, the House advanced to the Seventh Order of Business.

Motions, Memorials, and Resolutions

House of Representatives
State of Idaho

March 24, 2008

The Honorable Jo An Wood, Chairman
Transportation and Defense Committee

Dear Representative Wood:

I have designated House Transportation and Defense Committee a privileged committee in order to introduce legislation relating to transportation funding on Monday, March 24, 2008.

Sincerely,
/s/ Lawrence Denney
Speaker of the House

The letter was ordered filed in the Office of the Chief Clerk.

**HOUSE CONCURRENT RESOLUTION NO. 59
BY STATE AFFAIRS COMMITTEE**

A CONCURRENT RESOLUTION
STATING FINDINGS OF THE LEGISLATURE AND
RECOGNIZING AND COMMENDING THE LIFETIME

ACHIEVEMENTS OF JOHN PIERRE MOLITOR, ONE OF THE ORIGINAL IDAHO LEGISLATIVE ADVISORS, WHO SERVED THE ASSOCIATED GENERAL CONTRACTORS, THE IDAHO LEGISLATURE AND THE STATE OF IDAHO, WITH HONOR AND DISTINCTION.

Be It Resolved by the Legislature of the State of Idaho:

WHEREAS, John Pierre Molitor, a longtime advisor to the Idaho Legislature, passed away on February 2, 2008; and

WHEREAS, John was born in Walla Walla, Washington on October 3, 1914, graduated from Gonzaga Prep High School and acquired degrees in philosophy and liberal arts from Gonzaga University in 1939, where he also played basketball; and

WHEREAS, John taught English, Latin and algebra in Wilbur, Washington, where he also coached several high school sports; and

WHEREAS, John married Eileen Killoran on June 3, 1941; and

WHEREAS, in 1941, John accepted a position with the Kaiser Company as personnel manager at Grand Coulee Dam; and

WHEREAS, while at Grand Coulee, John played shortstop for The King and His Court, which played and won hundreds of exhibition fast-pitch softball games throughout the Northwest, outscoring opposing teams while using just a pitcher, catcher, first baseman and shortstop; and

WHEREAS, in 1948, John was hired as director of personnel and labor relations for J.A. Terteling & Sons, necessitating a move to Boise, Idaho, where he spent the rest of his life; and

WHEREAS, after six years with Terteling, John was named executive secretary of the Associated General Contractors (AGC), Idaho Branch, where he spent nearly 25 years as a legislative advisor, lobbying the Idaho Legislature on behalf of the construction industry; and

WHEREAS, John also served the state of Idaho as the administrator of the Contractors State License Board until 1977, when he retired from both the Board and from the AGC; and

WHEREAS, John served as the charter president of the Bronco Athletic Association, chairman of the Golf Course Building Committee at Crane Creek Country Club, first parish council president of St. Mary's Catholic Church, president of the Bishop Kelly High School Booster Club, charter member of the Capital City Kiwanis Club, past chairman of the Boise City Planning Commission and past member of the B.P.O.E. Elks Lodge in Boise; and

WHEREAS, for many years John paid surprise visits on Christmas Eve, dressed as Santa Claus, to dozens of Boise's youngest citizens, delivering candy and presents as well as joy to them and their parents; and

WHEREAS, John's lobbying career was distinguished by its professionalism, humility, honesty, integrity and respect for the political process; and

WHEREAS, John's lasting contributions to the state of Idaho, city of Boise, Idaho Legislature and Idaho's construction industry will be felt for many decades to come.

NOW, THEREFORE, BE IT RESOLVED by the members of the Second Regular Session of the Fifty-ninth Idaho Legislature, the House of Representatives and the Senate concurring therein, that the lifetime achievements of John Pierre Molitor, one of the original Idaho legislative advisors, who served the AGC, the Idaho Legislature and the state of Idaho, with honor and distinction, be recognized and commended.

HOUSE JOINT MEMORIAL NO. 12 BY STATE AFFAIRS COMMITTEE

A JOINT MEMORIAL

TO THE SENATE AND HOUSE OF REPRESENTATIVES OF THE UNITED STATES IN CONGRESS ASSEMBLED, AND TO THE CONGRESSIONAL DELEGATION REPRESENTING THE STATE OF IDAHO IN THE CONGRESS OF THE UNITED STATES.

We, your Memorialists, the House of Representatives and the Senate of the State of Idaho assembled in the Second Regular Session of the Fifty-ninth Idaho Legislature, do hereby respectfully represent that:

WHEREAS, the United States Constitution in Section 8, Article 1, grants the federal government the right to secure our national borders through the power of Congress to establish a uniform rule of naturalization and to make all laws which shall be necessary and proper for carrying into execution the powers granted to it; and

WHEREAS, even conservative estimates of the number of illegal immigrants residing in the United States range from twelve million to twenty million, with some estimates as high as thirty million; and

WHEREAS, the illegal entry into the United States by tens of millions of illegal immigrants, approaching ten percent of this nation's population, is an issue that demands immediate attention.

NOW, THEREFORE, BE IT RESOLVED by the members of the Second Regular Session of the Fifty-ninth Idaho Legislature, the House of Representatives and the Senate concurring therein, that we emphatically urge and petition the President of the United States and the Congress of the United States and particularly the congressional delegation representing the state of Idaho to honor their oath of office to "support and defend the Constitution of the United States" by passing the necessary and appropriate legislation to resolve the illegal immigration crisis by:

- (1) Securing our national borders;
- (2) Stopping illegal immigration, including the ending of government incentives for illegal immigration; and
- (3) Immediately implementing a guest-worker program that requires guest-workers to apply for work visas and that establishes compliance and enforcement standards.

BE IT FURTHER RESOLVED that the Chief Clerk of the House of Representatives, be, and she is hereby authorized and directed to forward a copy of this Memorial to the President of the United States, the President of the Senate and the Speaker of the House of Representatives of Congress, and the congressional delegation representing the State of Idaho in the Congress of the United States.

HCR 59 and HJM 12 was introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee for printing.

Introduction, First Reading, and Reference of Bills and Joint Resolutions

HOUSE BILL NO. 679 BY REVENUE AND TAXATION COMMITTEE AN ACT RELATING TO BONDS OF LIBRARY DISTRICTS;

AMENDING SECTION 33-2728, IDAHO CODE, TO PROVIDE THAT A LIBRARY DISTRICT MAY ISSUE BONDS IN AN AMOUNT NOT TO EXCEED TWO PERCENT OF THE MARKET VALUE FOR ASSESSMENT PURPOSES OF PROPERTY WITHIN THE DISTRICT, LESS ANY AGGREGATE OUTSTANDING INDEBTEDNESS.

HOUSE BILL NO. 680
BY REVENUE AND TAXATION COMMITTEE
AN ACT

RELATING TO COMMUNITY INFRASTRUCTURE DISTRICTS; AMENDING TITLE 50, IDAHO CODE, BY THE ADDITION OF A NEW CHAPTER 31, TITLE 50, IDAHO CODE, TO PROVIDE FOR LEGISLATIVE PURPOSE, TO PROVIDE FOR RELATIONSHIP TO OTHER LAWS AND A SHORT TITLE, TO DEFINE TERMS, TO PROVIDE FOR CREATION OF COMMUNITY INFRASTRUCTURE DISTRICTS, TO PROVIDE FOR DISTRICT ORGANIZATION, TO PROVIDE FOR DISTRICT POWERS, TO PROVIDE FOR CHANGE IN DISTRICT BOUNDARIES, TO PROVIDE FOR AMENDMENTS TO THE GENERAL PLAN, TO PROVIDE FOR FINANCES, TO PROVIDE FOR GENERAL OBLIGATION BONDS, TO PROVIDE FOR ELECTIONS, TO ESTABLISH LIMITS ON INDEBTEDNESS AND TO PROVIDE FOR A LEVY, TO PROVIDE FOR SPECIAL ASSESSMENTS AND SPECIAL ASSESSMENT BONDS, TO PROVIDE FOR REVENUE BONDS, TO PROVIDE FOR ELECTIONS, TO PROVIDE FOR TERMS OF BONDS, TO PROVIDE FOR NOTICE AND CONDUCT OF ELECTIONS, TO PROVIDE FOR COST OF ADMINISTRATION, TO PROVIDE FOR ANNUAL FINANCIAL STATEMENTS AND ANNUAL BUDGET CERTIFICATION, TO PROVIDE FOR DISCLOSURE, TO PROVIDE FOR DISTRICT DISSOLUTION, TO PROVIDE FOR EXEMPTIONS AND EXCLUSIONS, TO PROVIDE FOR LIMITATION OF LIABILITY, TO PROVIDE FOR APPEAL, TO PROVIDE FOR CONSISTENCY WITH OTHER STATE LAWS AND TO PROVIDE FOR SEVERABILITY.

HOUSE BILL NO. 681
BY APPROPRIATIONS COMMITTEE
AN ACT

APPROPRIATING ADDITIONAL MONEYS TO THE OFFICE OF THE GOVERNOR FOR THE OFFICE OF ENERGY RESOURCES FOR FISCAL YEAR 2009.

HOUSE BILL NO. 682
BY APPROPRIATIONS COMMITTEE
AN ACT

APPROPRIATING ADDITIONAL MONEYS TO THE LEGISLATIVE COUNCIL FOR THE OFFICE OF PERFORMANCE EVALUATIONS FOR FISCAL YEAR 2009.

HOUSE BILL NO. 683
BY APPROPRIATIONS COMMITTEE
AN ACT

RELATING TO APPROPRIATIONS TO THE DEPARTMENT OF AGRICULTURE; REDUCING THE APPROPRIATION TO THE DEPARTMENT OF AGRICULTURE FOR FISCAL YEAR 2009; REDUCING THE APPROPRIATION TO THE DEPARTMENT OF AGRICULTURE FOR FISCAL YEAR 2009; APPROPRIATING ADDITIONAL MONEYS TO THE DEPARTMENT OF

AGRICULTURE FOR FISCAL YEAR 2009; APPROPRIATING ADDITIONAL MONEYS TO THE DEPARTMENT OF AGRICULTURE FOR FISCAL YEAR 2008; AND DECLARING AN EMERGENCY FOR SECTION 4 OF THIS ACT.

HOUSE BILL NO. 684
BY EDUCATION COMMITTEE
AN ACT

RELATING TO PUBLIC SCHOOL FUNDING; AMENDING SECTION 33-1006, IDAHO CODE, TO DELETE AN ALLOWABLE COST ON WHICH THE TRANSPORTATION SUPPORT PROGRAM IS BASED, TO INCREASE THE STATE'S SHARE OF REIMBURSABLE TRANSPORTATION COSTS OF THE TRANSPORTATION SUPPORT PROGRAM AND TO REVISE A CRITERION TO QUALIFY FOR A HARDSHIP BUS RUN; AND AMENDING SECTION 33-5208, IDAHO CODE, TO INCREASE THE STATE'S SHARE OF TRANSPORTATION SUPPORT COSTS.

HOUSE BILL NO. 685
BY EDUCATION COMMITTEE
AN ACT

RELATING TO PUBLIC CHARTER SCHOOL FINANCIAL SUPPORT; AMENDING SECTION 33-5208, IDAHO CODE, TO REMOVE THE LIMIT ON INCREASES IN PUBLIC CHARTER SCHOOL SUPPORT UNITS.

HOUSE BILL NO. 686
BY TRANSPORTATION AND DEFENSE COMMITTEE
AN ACT

RELATING TO THE HIGHWAY PRESERVATION FUEL TAX; AMENDING SECTION 63-2424, IDAHO CODE, TO INCREASE THE ANNUAL FEE FOR GASEOUS FUEL PERMITS; AMENDING SECTION 63-2428, IDAHO CODE, TO INCREASE THE AMOUNT REQUIRED TO BE SECURED BY A DISTRIBUTOR'S BOND AND TO PROVIDE THAT THE BOND APPLIES TO THE BONDING REQUIREMENTS OF CHAPTER 48, TITLE 63, IDAHO CODE; AMENDING SECTION 63-2431, IDAHO CODE, TO PROVIDE AN EXCEPTION TO THE TAXATION LIMITATIONS OF CHAPTER 24, TITLE 63, IDAHO CODE; AND AMENDING TITLE 63, IDAHO CODE, BY THE ADDITION OF A NEW CHAPTER 48, TITLE 63, IDAHO CODE, TO PROVIDE DEFINITIONS, TO PROVIDE FOR IMPOSITION OF THE HIGHWAY PRESERVATION FUEL TAX, TO PROVIDE FOR PAYMENT OF THE TAX, TO PROVIDE FOR DISTRIBUTION OF TAX REVENUES, TO REQUIRE DISTRIBUTOR REPORTS, TO REQUIRE BONDING, TO PROVIDE RECORDKEEPING REQUIREMENTS, TO PROVIDE FOR REVOCATION OR CANCELLATION OF LICENSES, TO PROVIDE PENALTIES FOR DOING BUSINESS IN IDAHO WITHOUT A VALID LICENSE, TO PROVIDE FOR ENFORCEMENT OF THE PROVISIONS OF CHAPTER 48, TITLE 63, IDAHO CODE, TO AUTHORIZE EXCHANGE OF INFORMATION AGREEMENTS, TO PROVIDE RULEMAKING AUTHORITY FOR ADMINISTRATION OF THE PROGRAM BY THE STATE TAX COMMISSION AND TO PROVIDE FOR VIOLATIONS AND PENALTIES.

HOUSE BILL NO. 687
BY APPROPRIATIONS COMMITTEE
AN ACT

APPROPRIATING ADDITIONAL MONEYS TO THE STATE BOARD FOR PROFESSIONAL-TECHNICAL EDUCATION FOR FISCAL YEAR 2009.

H 679, H 680, H 681, H 682, H 683, H 684, H 685, H 686, and H 687 were introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee for printing.

SJR 107, by State Affairs Committee, was read the first time by title and referred to the State Affairs Committee.

S 1514, by State Affairs Committee, was read the first time by title and referred to the State Affairs Committee.

First Reading of Engrossed Bills

H 566, as amended in the Senate, by Education Committee, was read the first time by title and filed for second reading.

Second Reading of Bills and Joint Resolutions

SCR 137, by State Affairs Committee, was read the second time by title and filed for third reading.

S 1343, by Health and Welfare Committee, was read the second time by title and filed for third reading.

S 1511, by Finance Committee, was read the second time by title and filed for third reading.

H 654, as amended, by State Affairs Committee, was read the second time by title and filed for third reading.

Third Reading of Bills and Joint Resolutions

H 491, as amended in the Senate, was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Patrick to open debate.

The question being, "Shall **H 491**, as amended in the Senate, pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barrett, Bayer, Bell, Bilbao, Block, Bock, Boe, Bolz, Bowers, Brackett, Bradford, Chadderdon, Chew, Clark, Collins, Crane, Durst, Eskridge, Hagedorn, Hart, Harwood, Henbest, Henderson, Jaquet, Killen, King, Kren, Labrador, Lake, LeFavour, Loertscher, Luker, Marriott, Mathews, Mortimer, Nielsen, Nonini, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Roberts, Rusche, Sayler, Schaefer, Shepherd(02), Shepherd(08), Shirley, Shively, Smith(30), Smith(24), Snodgrass, Stevenson, Thayn, Thomas, Trail, Vander Woude, Wills, Wood(35), Mr. Speaker. Total -- 63.

NAYS -- None.

Absent and excused--Bedke, Black, Chavez, McGeachin, Moyle, Ruchti, Wood(27). Total -- 7.

Total -- 70.

Whereupon the Speaker declared **H 491**, as amended in the Senate, passed the House. Title was approved and the bill was referred to Judiciary, Rules, and Administration for enrolling.

Mr. Roberts asked unanimous consent that **S 1501** retain its place on the Third Reading Calendar for one legislative day. There being no objection, it was so ordered.

S 1502 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Bolz to open debate.

The question being, "Shall **S 1502** pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barrett, Bayer, Bell, Bilbao, Block, Bock, Boe, Bolz, Bowers, Brackett, Bradford, Chadderdon, Chew, Clark, Collins, Crane, Durst, Eskridge, Hagedorn, Hart, Harwood, Henbest, Henderson, Jaquet, Killen, King, Kren, Labrador, Lake, LeFavour, Loertscher, Luker, Marriott, Mathews, Mortimer, Nielsen, Nonini, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Roberts, Rusche, Sayler, Schaefer, Shepherd(02), Shepherd(08), Shirley, Shively, Smith(30), Smith(24), Snodgrass, Stevenson, Thayn, Thomas, Trail, Vander Woude, Wills, Wood(35), Mr. Speaker. Total -- 63.

NAYS -- None.

Absent and excused--Bedke, Black, Chavez, McGeachin, Moyle, Ruchti, Wood(27). Total -- 7.

Total -- 70.

Whereupon the Speaker declared **S 1502** passed the House. Title was approved and the bill ordered returned to the Senate.

Mr. Roberts asked unanimous consent that **S 1503, S 1508, and SJM 111** retain their place on the Third Reading Calendar for one legislative day. There being no objection, it was so ordered.

S 1504 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Bayer to open debate.

The question being, "Shall **S 1504** pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barrett, Bayer, Bell, Bilbao, Block, Bock, Boe, Bolz, Bowers, Brackett, Bradford, Chadderdon, Chew, Clark, Collins, Crane, Durst, Eskridge, Hagedorn, Hart, Harwood, Henbest, Henderson, Jaquet, Killen, King, Kren, Labrador, Lake, LeFavour, Loertscher, Luker, Marriott, Mathews, Mortimer, Nielsen, Nonini, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Roberts, Rusche, Sayler, Schaefer, Shepherd(02), Shepherd(08), Shirley, Shively, Smith(30), Smith(24), Snodgrass, Stevenson, Thayn, Thomas, Trail, Vander Woude, Wills, Wood(35), Mr. Speaker. Total -- 63.

NAYS -- None.

Absent and excused--Bedke, Black, Chavez, McGeachin, Moyle, Ruchti, Wood(27). Total -- 7.

Total -- 70.

Whereupon the Speaker declared **S 1504** passed the House. Title was approved and the bill ordered returned to the Senate.

S 1505 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Bayer to open debate.

Mr. Bayer asked unanimous consent that, pursuant to Rule 22, discussion of other bills be allowed in debate of **S 1505**. There being no objection, it was so ordered.

The question being, "Shall **S 1505** pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barrett, Bayer, Bell, Bilbao, Black, Block, Bock, Boe, Bolz, Bowers, Brackett, Bradford, Chadderdon, Chew, Clark, Collins, Crane, Durst, Eskridge, Hagedorn, Hart, Harwood, Henbest, Henderson, Jaquet, Killen, King, Kren, Labrador, Lake, LeFavour, Loertscher, Luker, Marriott, Mathews, Mortimer, Nielsen, Nonini, Patrick, Pence, Raybould, Ringo, Roberts, Rusche, Sayler, Schaefer, Shepherd(02), Shepherd(08), Shirley, Shively, Smith(30), Smith(24), Snodgrass, Stevenson, Thayne, Thomas, Trail, Vander Woude, Wills, Wood(35), Mr. Speaker. Total -- 63.

NAYS -- Pasley-Stuart. Total -- 1.

Absent and excused--Bedke, Chavez, McGeachin, Moyle, Ruchti, Wood(27). Total -- 6.

Total -- 70.

Whereupon the Speaker declared **S 1505** passed the House. Title was approved and the bill ordered returned to the Senate.

S 1438, as amended, was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Wills to open debate.

The question being, "Shall **S 1438**, as amended, pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barrett, Bayer, Bell, Bilbao, Black, Block, Bock, Boe, Bolz, Bowers, Brackett, Bradford, Chadderdon, Chew, Clark, Collins, Crane, Durst, Eskridge, Hagedorn, Hart, Harwood, Henbest, Henderson, Jaquet, Killen, King, Kren, Labrador, Lake, LeFavour, Loertscher, Luker, Marriott, Mathews, Mortimer, Nielsen, Nonini, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Roberts, Rusche, Sayler, Schaefer, Shepherd(02), Shepherd(08), Shirley, Shively, Smith(30), Smith(24), Snodgrass, Stevenson, Thayne, Thomas, Trail, Vander Woude, Wills, Wood(35) Mr. Speaker. Total -- 64.

NAYS --None.

Absent and excused--Bedke, Chavez, McGeachin, Moyle, Ruchti, Wood(27). Total -- 6.

Total -- 70.

Whereupon the Speaker declared **S 1438**, as amended, passed the House. Title was approved and the bill ordered returned to the Senate.

SCR 138 was read the third time at length and placed before the House for final consideration.

At this time, the Speaker recognized Ms. Jaquet to open debate.

The question being, "Shall **SCR 138** be adopted?"

AYES -- Anderson, Andrus, Bayer, Bell, Bilbao, Black, Block, Bock, Boe, Bolz, Bowers, Brackett, Bradford, Chadderdon, Chew, Clark, Collins, Crane, Durst, Eskridge, Hagedorn, Hart, Harwood, Henbest, Henderson, Jaquet, Killen, King, Kren, Labrador, Lake, LeFavour, Luker, Marriott, Mathews, Mortimer, Nonini, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Roberts, Rusche, Sayler, Schaefer, Shepherd(02), Shepherd(08), Shirley, Shively, Smith(30), Smith(24), Snodgrass, Stevenson, Thayne, Thomas, Trail, Vander Woude, Wills, Wood(35), Mr. Speaker. Total -- 61.

NAYS -- Barrett, Loertscher, Nielsen. Total -- 3.

Absent and excused--Bedke, Chavez, McGeachin, Moyle, Ruchti, Wood(27). Total -- 6.

Total -- 70.

Whereupon the Speaker declared **SCR 138** adopted and ordered the resolution returned to the Senate.

SCR 139 was read the third time at length and placed before the House for final consideration.

At this time, the Speaker recognized Ms. Jaquet to open debate.

The question being, "Shall **SCR 139** be adopted?"

AYES -- Anderson, Andrus, Barrett, Bayer, Bell, Bilbao, Black, Block, Bock, Boe, Bolz, Bowers, Brackett, Bradford, Chadderdon, Chew, Clark, Collins, Crane, Durst, Eskridge, Hagedorn, Hart, Harwood, Henbest, Henderson, Jaquet, Killen, King, Kren, Labrador, Lake, LeFavour, Loertscher, Luker, Marriott, Mathews, Mortimer, Nielsen, Nonini, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Roberts, Rusche, Sayler, Schaefer, Shepherd(02), Shepherd(08), Shirley, Shively, Smith(30), Snodgrass, Stevenson, Thayne, Thomas, Trail, Vander Woude, Wills, Wood(35), Mr. Speaker. Total -- 63.

NAYS -- Smith(24). Total -- 1.

Absent and excused--Bedke, Chavez, McGeachin, Moyle, Ruchti, Wood(27). Total -- 6.

Total -- 70.

Whereupon the Speaker declared **SCR 139** adopted and ordered the resolution returned to the Senate.

Mr. Roberts moved that the House recess until 11:00 a.m. Seconded by Ms. Jaquet. Motion carried.

Whereupon the Speaker declared the House at recess until 11:00 a.m.

RECESS

Afternoon Session

The House reconvened at 11:00 a.m., the Speaker in the Chair.

Roll call showed 68 members present.
Absent and excused -- McGeachin, Moyle. Total -- 2.
Total -- 70.

Prior to recess, the House was at the Eleventh Order of Business.

There being no objection, the House advanced to the Twelfth Order of Business.

Consideration of General Orders

Mr. Roberts moved that the House do now resolve itself into a Committee of the Whole House for the consideration of General Orders. Seconded by Ms. Jaquet. Motion carried.

Whereupon the House resolved itself into a Committee of the Whole House for the consideration of General Orders with Mr. Bedke in the Chair.

When the Committee of the Whole House rose, the Speaker returned to the Chair and the House was in order.

Report of the Committee of the Whole House

March 25, 2008

Mr. Speaker:

We, your COMMITTEE OF THE WHOLE HOUSE, report that we have had under consideration **H 662, H 664, S 1276, H 656, S 1425, and S 1413**, as amended, and report them back without recommendation, amended as follows:

HOUSE AMENDMENT TO H.B. NO. 662

AMENDMENTS TO THE BILL

On page 4 of the printed bill, following line 26, insert:

"SECTION 3. That Chapter 30, Title 63, Idaho Code, be, and the same is hereby amended by the addition thereto of a NEW SECTION, to be known and designated as Section 63-3029I, Idaho Code, and to read as follows:

63-3029I. CARRYOVER OF CREDIT FOR INVESTMENT IN BROADBAND EQUIPMENT. A taxpayer entitled to the carryover of credit accruing pursuant to section 63-3029I, Idaho Code, as in effect on December 31, 2008, for taxable years beginning before January 1, 2009, shall be entitled to carryover the credit in the amounts and subject to the limitations provided in section 63-3029I, Idaho Code, as in effect on December 31, 2009."

Also on page 4, in line 27, delete "SECTION 3" and insert: "SECTION 4".

CORRECTION TO TITLE

On page 1, in line 5, following "EQUIPMENT;" insert: "AMENDING CHAPTER 30, TITLE 63, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 63-3029I, IDAHO CODE, TO PROVIDE FOR CARRYOVER OF CREDIT FOR INVESTMENT IN BROADBAND EQUIPMENT;"

HOUSE AMENDMENT TO H.B. NO. 664

AMENDMENTS TO THE BILL

On page 1 of the printed bill, following line 7, insert:

"SECTION 2. That Chapter 30, Title 63, Idaho Code, be, and the same is hereby amended by the addition thereto of a NEW SECTION, to be known and designated as Section 63-3029G, Idaho Code, and to read as follows:

63-3029G. CARRYOVER OF CREDIT FOR RESEARCH ACTIVITIES CONDUCTED IN THIS STATE. A taxpayer entitled to the carryover of credit accruing pursuant to section 63-3029G, Idaho Code, as in effect on December 31, 2008, for taxable years beginning before January 1, 2009, shall be entitled to carryover the credit in the amounts and subject to the limitations provided in section 63-3029G, Idaho Code, as in effect on December 31, 2009.

SECTION 3. This act shall be in full force and effect on and after January 1, 2009."

CORRECTIONS TO TITLE

On page 1, in line 4, following "STATE" insert: "; AMENDING CHAPTER 30, TITLE 63, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 63-3029G, IDAHO CODE, TO PROVIDE FOR CARRYOVER OF CREDIT FOR RESEARCH ACTIVITIES CONDUCTED IN THIS STATE; AND PROVIDING AN EFFECTIVE DATE".

HOUSE AMENDMENT TO S.B. NO. 1276

AMENDMENTS TO SECTION 1

On page 1 of the printed bill, in line 25, delete "The scale ticket," and insert: "ticket"; in line 26, delete "or an unalterable electronic" and insert: "-"; and delete lines 27 and 28.

HOUSE AMENDMENT TO H.B. NO. 656

AMENDMENT TO SECTION 1

On page 1 of the printed bill, in line 34, following "responsibilities" insert: ", unless the adopted impact fee ordinance expressly includes taxing districts as being subject to development impact fees".

HOUSE AMENDMENT TO S.B. NO. 1425

AMENDMENT TO SECTION 2

On page 2 of the printed bill, in line 29, following "governor" insert: ". Prior to the expiration of the regular term of a member of the board or upon the occurrence of declaration of a vacancy in the membership of the board, the governor shall notify in writing the Idaho association of naturopathic physicians and the Idaho chapter of the American association of naturopathic physicians thereof, and each association shall, within thirty (30) days thereafter, nominate one (1) or more qualified persons to fill such vacancy and shall forthwith forward the nominations to the governor, who shall thereupon appoint from such nominees, the person to be a member of the board to fill such vacancy."; and also in line 29, delete "from" and insert: "from"; in line 31, delete "licensees who" and insert: "-"; delete line 32; delete lines 45 and 46 and insert:

"(7) The governor may remove any member of the board for cause, prior to the expiration of the member's term."; and in line 47, delete "(8)" and insert: "(8)".

AMENDMENTS TO THE BILL

On page 1, delete lines 14 through 43; on page 2, delete lines 1 through 11; in line 12, delete "SECTION 2" and insert: "SECTION 1"; on page 3, delete lines 1 through 51; and on page 4, delete lines 1 through 43 and insert:

"SECTION 2. Notwithstanding the provisions of Chapter 51, Title 54, Idaho Code, as of the effective date of this act, the Board of Naturopathic Medical Examiners shall issue no new licenses until administrative rules submitted by the Board of Naturopathic Medical Examiners are approved by the members of the First Regular Session of the Sixtieth Idaho Legislature, or as allowed sooner by Executive Order of the Governor."; also on page 4, in line 44, delete "SECTION 7" and insert: "SECTION 3".

CORRECTIONS TO TITLE

On page 1, in line 2, delete "AMENDING SECTION"; in line 3, delete "54-5102, IDAHO CODE, TO REVISE DEFINITIONS;"; in line 5, delete "REVISE QUALI-"; and delete lines 6 through 12 and insert: "REVISE REQUIREMENTS FOR NOMINATIONS TO THE BOARD AND TO DELETE PROVISION FOR REMOVAL OF A BOARD MEMBER FOR CAUSE; TO PROHIBIT ISSUANCE OF NEW LICENSES UNTIL CERTAIN CONDITIONS ARE MET; AND DECLARING AN EMERGENCY.".

HOUSE AMENDMENT TO S.B. NO. 1413, As Amended

AMENDMENTS TO SECTION 1

On page 4 of the engrossed bill, in line 30, delete "July 1, 2004" and insert: "~~July 1, 2004~~ May 1, 2000"; in line 31, delete "fifty thousand (~~650,000~~) square feet and sixty" and insert: "thirty-five thousand (~~6035,000~~) square feet and sixty fifty-five"; in line 32, delete "(60)" and insert: "~~(6055)~~"; also in line 32, delete "five" and insert: "three"; and in line 33, delete "(\$+5,000,000)" and insert: "(\$+53,000,000)".

We have also had under consideration **H 475, H 478, H 479, S 1280, and S 1281**, report progress and beg leave to sit again.

BEDKE, Chairman

Mr. Bedke moved that the report be adopted. Seconded by Mr. Roberts.

Whereupon the Speaker declared the report adopted.

H 662, H 664, and H 656, were referred to the Judiciary, Rules, and Administration Committee for engrossing.

S 1276, as amended in the House, **S 1425**, as amended in the House, and **S 1413**, as amended, as amended in the House, were filed for first reading.

H 475, H 478, H 479, S 1280, and S 1281 were retained on General Orders.

The amendments were referred to the Judiciary, Rules, and Administration Committee for printing.

There being no objection, the House returned to the Fourth Order of Business.

Consideration of Messages from the Governor and the Senate

OFFICE OF THE GOVERNOR
Boise

March 25, 2008

The Honorable Lawrence Denney
Speaker of the House

Dear Mr. Speaker:

I have the honor to advise you that I am transmitting today to the Office of the Secretary of State the following House bill which will be allowed to become law without my signature:

H 572

within the time limited by law.

The appropriation in this bill is almost \$2.8 million less than I recommended as necessary to keep up with the growth in catastrophic health care cases in Idaho. The Joint Finance-Appropriations Committee's discussion focused on appropriating this lesser amount and then addressing any additional expenses in a supplemental appropriation during the 2009 legislative session. That flies in the face of common sense and the Legislature's stewardship of taxpayer dollars. Instead of hoping for the best and preparing for the worst as budgetary prudence would recommend, this bill expresses the Legislature's desire to both hope and prepare only for a best-case scenario in the field of catastrophic health care. I find that unwise and unadvisable. Sanctioning such an act would be irresponsible, yet the need for at least the current level of funding also cannot be denied.

As Always - Idaho, "Esto Perpetua"
/s/ C. L. "Butch" Otter
Governor

Report of Standing Committees

March 25, 2008

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have printed **HCR 59, HJM 12, H 679, H 680, H 681, H 682, H 683, H 684, H 685, H 686, and H 687**.

CLARK, Chairman

H 679 was referred to Revenue and Taxation Committee.

H 686 was ordered held at the Desk.

HCR 59, HJM 12, H 680, H 681, H 682, H 683, H 684, H 685, and H 687 were filed for second reading.

March 25, 2008

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have enrolled **H 491**, as amended in the Senate.

CLARK, Chairman

The Speaker announced he was about to sign enrolled **H 491**, as amended in the Senate, and, when so signed, ordered it transmitted to the Senate for the signature of the President.

March 25, 2008

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have engrossed **H 514**, as amended in the Senate.

CLARK, Chairman

H 514, as amended in the Senate, was filed for first reading of engrossed bills.

There being no objection, the House advanced to the Seventh Order of Business.

Motions, Memorials, and Resolutions

Mr. Roberts moved that all rules of the House interfering with the immediate consideration of **SCR 137** be suspended; that the portions of Section 15, Article 3 of the Constitution of the State of Idaho, requiring all bills to be read on three several days be dispensed with, this being a case of urgency; and that **SCR 137** be read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration. Seconded by Ms. Jaquet.

The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Bock, Boe, Bolz, Bowers, Brackett, Bradford, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Eskridge, Hagedorn, Hart, Harwood, Henbest, Henderson, Jaquet, Killen, King, Kren, Labrador, Lake, LeFavour, Loertscher, Luker, Marriott, Mathews, Mortimer, Nielsen, Nonini, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Sayler, Schaefer, Shepherd(02), Shepherd(08), Shirley, Shively, Smith(30), Smith(24), Snodgrass, Stevenson, Thayne, Thomas, Trail, Vander Woude, Wills, Wood(27), Wood(35), Mr. Speaker. Total -- 67.

NAYS -- Durst. Total -- 1.

Absent and excused--McGeachin, Moyle. Total -- 2.

Total -- 70.

Whereupon the Speaker declared that more than two-thirds of the membership having voted in the affirmative, the motion carried, the rules were suspended, and **SCR 137** was read the first time by title, second time by title, and third time at length, and placed before the House for final consideration.

At this time, the Speaker recognized Ms. Pence to open debate.

The question being, "Shall **SCR 137** be adopted?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Bayer, Bedke, Bell, Bilbao, Black, Block, Bock, Boe, Bolz, Brackett, Bradford, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Durst, Eskridge, Hagedorn, Henbest, Henderson, Jaquet, Killen, King, Kren, Labrador, Lake,

LeFavour, Nonini, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Sayler, Shepherd(02), Shepherd(08), Shirley, Smith(30), Smith(24), Snodgrass, Stevenson, Thomas, Trail, Vander Woude, Wills, Wood(27), Mr. Speaker. Total -- 54.

NAYS -- Barrett, Bowers, Hart, Harwood, Loertscher, Luker, Marriott, Mathews, Mortimer, Nielsen, Schaefer, Shively, Thayne, Wood(35). Total -- 14.

Absent and excused--McGeachin, Moyle. Total -- 2.

Total -- 70.

Whereupon the Speaker declared **SCR 137** adopted. Title was approved and the resolution ordered returned to the Senate

Mr. Roberts moved that all rules of the House interfering with the immediate consideration of **S 1343** be suspended; that the portions of Section 15, Article 3 of the Constitution of the State of Idaho, requiring all bills to be read on three several days be dispensed with, this being a case of urgency; and that **S 1343** be read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration. Seconded by Ms. Jaquet.

The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Bock, Boe, Bolz, Bowers, Brackett, Bradford, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Eskridge, Hagedorn, Hart, Harwood, Henbest, Henderson, Jaquet, Killen, King, Kren, Labrador, Lake, LeFavour, Loertscher, Luker, Marriott, Mathews, Mortimer, Nielsen, Nonini, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Sayler, Schaefer, Shepherd(02), Shepherd(08), Shirley, Shively, Smith(30), Smith(24), Snodgrass, Stevenson, Thayne, Thomas, Trail, Vander Woude, Wills, Wood(27), Wood(35), Mr. Speaker. Total -- 67.

NAYS -- Durst. Total -- 1.

Absent and excused--McGeachin, Moyle. Total -- 2.

Total -- 70.

Whereupon the Speaker declared that more than two-thirds of the membership having voted in the affirmative, the motion carried, the rules were suspended, and **S 1343** was read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Rusche to open debate.

The question being, "Shall **S 1343** pass?"

Roll call resulted as follows:

AYES -- Anderson, Bayer, Bedke, Bell, Bilbao, Black, Block, Bock, Boe, Bolz, Brackett, Bradford, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Durst, Eskridge, Hagedorn, Henbest, Henderson, Jaquet, Killen, King, Kren, Labrador, Lake, LeFavour, Luker, Marriott, Mathews, Nonini, Pasley-Stuart, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Sayler, Shepherd(02), Shepherd(08), Shively, Smith(30), Smith(24), Snodgrass, Stevenson, Thayne, Thomas, Trail, Vander Woude, Wills, Wood(27), Mr. Speaker. Total -- 56.

NAYS -- Andrus, Barrett, Bowers, Hart, Harwood,

Loertscher, Mortimer, Nielsen, Schaefer, Shirley, Wood(35).
Total -- 11.

Absent and excused--McGeachin, Moyle, Patrick. Total -- 3.
Total -- 70.

Whereupon the Speaker declared **S 1343** passed the House.
Title was approved and the bill ordered returned to the Senate

Mr. Roberts moved that all rules of the House interfering with the immediate consideration of **S 1511** be suspended; that the portions of Section 15, Article 3 of the Constitution of the State of Idaho, requiring all bills to be read on three several days be dispensed with, this being a case of urgency; and that **S 1511** be read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration. Seconded by Ms. Jaquet.

The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Bock, Boe, Bolz, Bowers, Brackett, Bradford, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Eskridge, Hagedorn, Hart, Harwood, Henbest, Henderson, Jaquet, Killen, King, Kren, Labrador, Lake, LeFavour, Loertscher, Luker, Marriott, Mathews, Mortimer, Nielsen, Nonini, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Sayler, Schaefer, Shepherd(02), Shepherd(08), Shirley, Shively, Smith(30), Smith(24), Snodgrass, Stevenson, Thayne, Thomas, Trail, Vander Woude, Wills, Wood(27), Wood(35), Mr. Speaker. Total -- 67.

NAYS -- Durst. Total -- 1.

Absent and excused--McGeachin, Moyle. Total -- 2.
Total -- 70.

Whereupon the Speaker declared that more than two-thirds of the membership having voted in the affirmative, the motion carried, the rules were suspended, and **S 1511** was read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mrs. Bell to open debate.

The question being, "Shall **S 1511** pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Bock, Boe, Bolz, Bowers, Brackett, Bradford, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Durst, Eskridge, Hagedorn, Hart, Harwood, Henbest, Henderson, Jaquet, Killen, King, Kren, Labrador, Lake, LeFavour, Loertscher, Luker, Marriott, Mathews, Mortimer, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ringo, Roberts, Ruchti, Sayler, Schaefer, Shepherd(02), Shepherd(08), Shirley, Shively, Smith(30), Smith(24), Snodgrass, Stevenson, Thayne, Thomas, Trail, Vander Woude, Wills, Wood(27), Wood(35), Mr. Speaker. Total -- 66.

NAYS -- None.

Absent and excused--McGeachin, Moyle, Patrick, Rusche. Total -- 4.
Total -- 70.

Whereupon the Speaker declared **S 1511** passed the House.
Title was approved and the bill ordered returned to the Senate

Mr. Roberts moved that all rules of the House interfering with the immediate consideration of **H 654**, as amended, be suspended; that the portions of Section 15, Article 3 of the Constitution of the State of Idaho, requiring all bills to be read on three several days be dispensed with, this being a case of urgency; and that **H 654**, as amended, be read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration. Seconded by Ms. Jaquet.

The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Bock, Boe, Bolz, Bowers, Brackett, Bradford, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Eskridge, Hagedorn, Hart, Harwood, Henbest, Henderson, Jaquet, Killen, King, Kren, Labrador, Lake, LeFavour, Loertscher, Luker, Marriott, Mathews, Mortimer, Nielsen, Nonini, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Sayler, Schaefer, Shepherd(02), Shepherd(08), Shirley, Shively, Smith(30), Smith(24), Snodgrass, Stevenson, Thayne, Thomas, Trail, Vander Woude, Wills, Wood(27), Wood(35), Mr. Speaker. Total -- 67.

NAYS -- Durst. Total -- 1.

Absent and excused--McGeachin, Moyle. Total -- 2.
Total -- 70.

Whereupon the Speaker declared that more than two-thirds of the membership having voted in the affirmative, the motion carried, the rules were suspended, and **H 654**, as amended, was read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Nonini to open debate.

The question being, "Shall **H 654**, as amended, pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Bock, Bolz, Bowers, Brackett, Bradford, Chadderdon, Clark, Collins, Crane, Durst, Eskridge, Hagedorn, Hart, Harwood, Henbest, Henderson, Jaquet, Kren, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, Mortimer, Nielsen, Nonini, Patrick, Raybould, Roberts, Ruchti, Sayler, Schaefer, Shepherd(02), Shepherd(08), Shirley, Shively, Snodgrass, Stevenson, Thayne, Thomas, Vander Woude, Wills, Wood(27), Wood(35), Mr. Speaker. Total -- 55.

NAYS -- Boe, Chavez, Chew, Killen, King, LeFavour, Pasley-Stuart, Pence, Ringo, Smith(30), Trail. Total -- 11.

Absent and excused--McGeachin, Moyle, Rusche, Smith(24). Total -- 4.

Total -- 70.

Whereupon the Speaker declared **H 654**, as amended, passed the House. Title was approved and the bill ordered transmitted to the Senate

There being no objection, the House advanced to the Eighth Order of Business.

**Introduction, First Reading, and Reference
of Bills and Joint Resolutions**

**HOUSE BILL NO. 688
BY REVENUE AND TAXATION COMMITTEE
AN ACT**

RELATING TO A LOCAL OPTION SALES AND USE TAX; AMENDING TITLE 63, IDAHO CODE, BY THE ADDITION OF A NEW CHAPTER 46, TITLE 63, IDAHO CODE, TO PROVIDE A SHORT TITLE, TO DEFINE TERMS, TO PROVIDE PURPOSE, TO PROVIDE A LOCAL OPTION SALES AND USE TAX, TO PROVIDE FOR A PLAN, TO PROVIDE FOR ADOPTION OF PLAN; TO PROVIDE FOR AN ELECTION TO AUTHORIZE THE TAX, TO PROVIDE FOR COLLECTION AND ADMINISTRATION OF THE TAX BY THE STATE TAX COMMISSION, TO ESTABLISH A LOCAL OPTION SALES AND USE TAX FUND AND TO PROVIDE DISTRIBUTION OF MONEYS FROM THE FUND, TO PROVIDE COOPERATIVE AGREEMENTS, TO PROVIDE FOR REPEAL OR REAUTHORIZATION OF THE TAX AND TO PROVIDE FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

H 688 was introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee for printing.

First Reading of Engrossed Bills

H 514, as amended in the Senate, by Resources and Conservation Committee, was read the first time by title and filed for second reading.

There being no objection, the House advanced to the Sixteenth Order of Business.

Adjournment

Mr. Bedke moved that the House adjourn until Wednesday 10:00 a.m., March 26, 2008. Seconded by Ms. Jaquet. Motion carried.

Whereupon the Speaker declared the House adjourned at 12:09 p.m.

LAWERENCE DENNEY, Speaker

ATTEST:

BONNIE ALEXANDER, Chief Clerk